

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**JAMES R. THOMPSON and
CLIFFORD M. WEINER,**

Plaintiffs,

v.

No. 12-CV-276 MCA/SMV

**DAPHNE GAMMON,
MARTHA SCHUETZ,
NANCY E. WALKER,
JOHN DEWITT, CATHY DEWITT,
and MARK F. REED,**

Defendants.

ORDER

THIS MATTER is before the Court on Defendant Daphne Gammon's *Motion to Dismiss First Amended Complaint for Failure to Join Indispensable Parties* [Doc. 12] and Defendant Martha Schuetz' *Motion to Dismiss* [Doc. 18]. Having considered the parties' submissions, the relevant law, and otherwise being fully advised in the premises, the Court **DENIES** the *Motions*.

On October 3, 2013, this Court held in abeyance the above *Motions*, and ordered Plaintiff to amend his Complaint to add necessary parties or his complaint would be dismissed pursuant to Federal Rule of Civil Procedure 19. [Doc. 29] On October 30, 2013, Plaintiff amended his Complaint and added the parties this Court determined were required. [Doc. 30] Because Plaintiff has joined the required parties, for the reasons set out in the Court's Memorandum Opinion dated October 30, 2013, dismissal is not

warranted.

WHEREFORE, IT IS HEREBY ORDERED THAT Defendant Gammon's *Motion to Dismiss First Amended Complaint for Failure to Join Indispensable Parties* [Doc. 12] and Defendant Schuetz' *Motion to Dismiss* [Doc. 18] are **DENIED**.

SO ORDERED this 21st day of February, 2014, in Albuquerque, New Mexico.

A handwritten signature in black ink, appearing to read "M. Christina Armijo", is written over a horizontal line.

M. Christina Armijo
Chief Judge, United States District Court